

To be recorded with Deed  
Records - ORC § 317.08

## ENVIRONMENTAL COVENANT

This Environmental Covenant is entered into by Warren Steel Holdings, LLC ("Owner") and the Ohio Environmental Protection Agency ("Ohio EPA") pursuant to Ohio Revised Code ("ORC") § 5301.80 to 5301.92 for the purpose of subjecting the Property to the activity and use limitations set forth herein.

Whereas, Owner is the owner of certain real property located at 4000 Mahoning Avenue, Warren, Trumbull County, Ohio and legally described in Exhibit A attached hereto (collectively referred to herein as the "Property"); and

Whereas, the Property was used for the manufacturing of steel for many years and other industrial activities. Past operations have resulted in soil contamination and potential ground water contamination. The parcel numbers included in this Environmental Covenant are 41-901611 and 46-373100 which comprise approximately 364.728 acres; and

Whereas, on August 20, 2021, the Court of Common Pleas, Trumbull County entered a Consent Order for Permanent Injunction ("COPI"), which requires Owner to take certain corrective actions, including actions pursuant to four Ohio EPA approved Closure Plans to remediate Hazardous Waste Management Units on the Property and pursuant to an Ohio EPA approved Solid Waste and CD&D Management Plan to manage and remediate solid waste on the Property; and

Whereas, Owner is implementing the selected remedy for the Property in accordance with the COPI, the Closure Plans, and Ohio EPA's solid and hazardous waste requirements contained in ORC Chapter 3734, and as part of Closure Plans and COPI, Owner agreed to place certain restrictions on the future use of the Property, as described herein; and

Whereas, the administrative record is maintained as the file titled, Warren Steel Holdings, LLC in the Ohio EPA Northeast District Office, located at 2110 E. Aurora Road Twinsburg, Ohio 44087.

Whereas, the implementation of appropriate use restrictions that restrict land and ground water use on the Property is required to protect human health and the environment.

Now therefore, Owner and Ohio EPA agree to the following:

1. Environmental Covenant. This instrument is an environmental covenant developed and executed pursuant to ORC § 5301.80 to 5301.92.

2. Property. This Environmental Covenant concerns real property an approximate 364 acre-tract located at 4000 Mahoning Avenue, Warren, Trumbull County, Ohio and more particularly described in Exhibit A, which is attached hereto and hereby incorporated by reference herein ("Property").

3. Owner. Warren Steel Holdings, LLC ("Owner") is the owner of the Property. Owner is located at 10750 NW 6<sup>th</sup> Court, 2<sup>nd</sup> Floor, Miami, Florida 33168.

4. Holders. Owner, whose address is listed above, is the holder of this Environmental Covenant.

5. Activity and Use Limitations. As part of the corrective action on the Property, Owner hereby imposes and agrees to comply with the following activity and use limitations:

- A. The Property shall not be used for residential activities but may be used for commercial/industrial activities (including but not limited to manufacturing, remanufacturing, formulating, refining processing operations, facilities which supply goods or services to the public, retail shops, grocery stores, office and warehouse use, production, storage and sales of durable goods, parking/driveway use, and general management of the site). The term "residential activities" shall include, but not be limited to, the following:
- (i) Single and multi-family dwelling and rental units;
  - (ii) Day care centers, preschools, and K-12 educational facilities;
  - (iii) Correctional facilities;
  - (iv) Transient or other residential facilities, including long-term care facilities and nursing homes;
  - (v) Production of food-chain products by agricultural means for animal or human consumption; and
  - (vi) Outdoor Parks and Playgrounds.

B. Groundwater located within or upon the Property shall not be extracted and used except for investigation, monitoring, or remediation purposes. Under no circumstances will ground water located within or upon the Property be used for potable purposes.

In the event that any activity by the holder of an encumbrance on the Property, identified in paragraph 12 below, constitutes a violation of these activity and use restrictions, Owner or Transferee shall notify Ohio EPA within thirty (30) days of becoming aware of the event, and shall remedy the breach of the covenant within sixty (60) days of becoming aware of the event, or such other time frame as may be agreed to by the Owner or Transferee and Ohio EPA.

6. Running with the Land. This Environmental Covenant shall be binding upon the Owner and all assigns and successors in interest, including any Transferee, and shall run with the land, pursuant to ORC § 5301.85, subject to amendment or termination as set forth herein. The term "Transferee," as used in this Environmental Covenant, shall mean any future owner of any interest in the Property or any

portion thereof, including, but not limited to, owners of an interest in fee simple, mortgagees, easement holders, and/or lessees.

7. Compliance Enforcement. Compliance with this Environmental Covenant may be enforced pursuant to ORC § 5301.91 or other applicable law. Failure to timely enforce compliance with this Environmental Covenant or the activity and use limitations contained herein by any party shall not bar subsequent enforcement by such party and shall not be deemed a waiver of the party's right to take action to enforce compliance. Nothing in this Environmental Covenant shall restrict the Director of Ohio EPA from exercising any authority under applicable law.

8. Rights of Access. Owner hereby grants to Ohio EPA, its agents, contractors, and employees and to Holder(s), the right of access to the Property for implementation or enforcement of this Environmental Covenant.

9. Compliance Reporting. Owner and any Transferee shall submit to Ohio EPA and Holder(s) on an annual basis, no later than June 1st, beginning in 2023, a written certification which complies with the requirements of Ohio Administrative Code rule 3745-50-42(B), (C), and (D) that the activity and use limitations remain in place and are being complied with.

10. Recordation of Environmental Covenant. Within thirty (30) days after the date of the final required signature upon this Environmental Covenant, Owner shall record, in the office of the Trumbull County Recorder, this Environmental Covenant in the same manner as a deed to the Property, pursuant to ORC § 5301.88. Owner shall certify to Ohio EPA that the Environmental Covenant has been filed for recording, and include with the certification a file and date-stamped copy of the Environmental Covenant.

11. Notice upon Conveyance. Each instrument hereafter conveying any interest in the Property or any portion of the Property shall contain a notice of the activity and use limitations set forth in this Environmental Covenant, and provide the recorded location of this Environmental Covenant. The notice shall be substantially in the following form:

THE INTEREST CONVEYED HEREBY IS SUBJECT TO AN ENVIRONMENTAL COVENANT, DATED \_\_\_\_\_, 202\_\_, RECORDED IN THE DEED OR OFFICIAL RECORDS OF THE TRUMBULL COUNTY RECORDER ON \_\_\_\_\_, 202\_\_, IN [DOCUMENT \_\_\_\_\_, or BOOK \_\_\_\_ PAGE \_\_\_\_]. THE ENVIRONMENTAL COVENANT CONTAINS THE FOLLOWING ACTIVITY AND USE LIMITATIONS:

The Property shall not be used for residential but may be used for commercial/industrial activities (including but not limited to manufacturing, remanufacturing, formulating, refining processing operations, facilities which supply goods or services to the public, retail shops, grocery stores, office and warehouse use, production, storage and sales of durable goods, parking/driveway use, and general management of the site). The term "residential activities" shall include, but not be limited to, the following:

- (i) Single and multi-family dwelling and rental units;
- (ii) Day care centers, preschools, and K-12 educational facilities;
- (iii) Correctional facilities;
- (iv) Transient or other residential facilities, including long-term care facilities and nursing homes;

(v) Production of food-chain products by agricultural means for animal or human consumption; and

(vi) Outdoor Parks and Playgrounds.

Ground water located within or upon the Property shall not be extracted and used except for investigation, monitoring, or remediation purposes. Under no circumstances will ground water located within or upon the Property be used for potable purposes.

In the event that any activity by the holder of an encumbrance on the Property, identified in paragraph 12 below, constitutes a violation of these activity and use restrictions, Owner or Transferee shall notify Ohio EPA within thirty (30) days of becoming aware of the event, and shall remedy the breach of the covenant within sixty (60) days of becoming aware of the event, or such other time frame as may be agreed to by the Owner or Transferee and Ohio EPA.

Owner shall notify Ohio EPA within thirty (30) days after each conveyance of an interest in any portion of the Property. Owner's notice shall include the name, address, and telephone number of the Transferee, a copy of the deed or other documentation evidencing the conveyance, a legal description of the Property being transferred, a survey map of the Property being transferred, and the closing date of the transfer of ownership of the Property.

12. Representations and Warranties. Owner hereby represents and warrants to the other signatories hereto:

- A. that the Owner is the sole owner of the Property;
- B. that the Owner holds fee simple title to the Property, which is subject to the interests or encumbrances listed and described in Exhibit B attached hereto, which is fully incorporated by reference herein;
- C. that the Owner has the power and authority to enter into this Environmental Covenant, to grant the rights and interests herein provided and to carry out all obligations hereunder;
- D. that the Owner has identified all other parties, identified in Exhibit B, described above, that own an interest in or hold an encumbrance on the Property and has made reasonable efforts to notify those parties most likely to be affected by the Owner's intention to enter into this Environmental Covenant; and
- E. that this Environmental Covenant will not materially violate or contravene or constitute a material default under any other agreement, document, or instrument to which Owner is a party or by which Owner may be bound or affected.

13. Amendment or Termination. This Environmental Covenant may be amended or terminated by consent of all of the following: the Owner or a Transferee, the Holder, and the Ohio EPA, pursuant to ORC § 5301.90 and other applicable law. Amendment means any changes to the Environmental Covenant, including the activity and use limitations set forth herein, or the elimination of one or more activity and use limitations when there is at least one limitation remaining. Termination means the elimination of all activity and use limitations set forth herein and all other obligations under this Environmental Covenant.

This Environmental Covenant may be amended or terminated only by a written instrument duly executed by the Director of Ohio EPA and the Owner or Transferee and the Holder of the Property or portion thereof, as applicable. Within thirty (30) days of signature by all requisite parties on any

amendment or termination of this Environmental Covenant, the Owner or Transferee shall file such instrument for recording with the Trumbull County Recorder's Office, and shall provide a true file and date-stamped copy of the recorded instrument to Ohio EPA.

14. Severability. If any provision of this Environmental Covenant is found to be unenforceable in any respect, the validity, legality, and enforceability of the remaining provisions shall not in any way be affected or impaired.

15. Governing Law. This Environmental Covenant shall be governed by and interpreted in accordance with the laws of the State of Ohio.

16. Effective Date. The effective date of this Environmental Covenant shall be the date upon which the fully executed Environmental Covenant has been recorded as a deed record for the Property with the Trumbull County Recorder.

17. Distribution of Environmental Covenant. The Owner shall distribute copies of the recorded Environmental Covenant to Ohio EPA, any lessee, each person who signed the Environmental Covenant, each person holding a recorded interest in the Property..

18. Notice. Any document or communication required by this Environmental Covenant shall be submitted to:

Ohio Environmental Protection Agency  
Lazarus Government Center  
Division of Environmental Response and Revitalization  
P.O. Box 1049  
Columbus, Ohio 43216-1049

Or, send electronically to: [records@epa.state.oh.us](mailto:records@epa.state.oh.us)

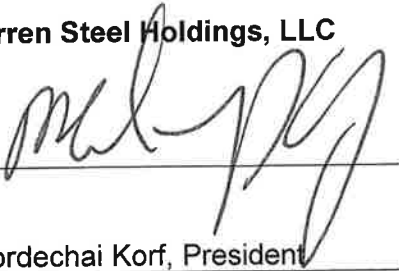
And

Ohio Environmental Protection Agency  
Northeast District Office  
Division of Environmental Response & Revitalization  
2100 East Aurora Road  
Twinsburg, Ohio 44087  
Attn: DERR Site Coordinator for Warren Steel Holdings

The undersigned representative of Owner represents and certifies that he is authorized to execute this Environmental Covenant.

**IT IS SO AGREED:**

**Warren Steel Holdings, LLC**



Mordechai Korf, President  
Printed Name and Title

6/9/2022

Date


State of Florida )

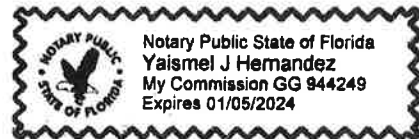
ss:

County of Miami-Dade )

Before me, a notary public, in and for said county and state, personally appeared Mordechai Korf, as the duly authorized representative of Warren Steel Holdings, LLC, who acknowledged to me that he did execute the foregoing instrument on behalf of Warren Steel Holdings, LLC.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 9<sup>th</sup> day of June, 2022.

 Yaismel J. Hernandez  
Notary Public



OHIO ENVIRONMENTAL PROTECTION AGENCY

Laurie A. Stevenson  
Laurie A. Stevenson, Director

State of Ohio )

County of Franklin )

ss:

Before me, a notary public, in and for said county and state, personally appeared \_\_\_\_\_,  
Laurie A. Stevenson, Director of Ohio EPA, who acknowledged to me that she did execute the foregoing  
instrument on behalf of Ohio EPA.

IN TESTIMONY WHEREOF, I have subscribed my name and affixed my official seal this 6<sup>th</sup>  
day of July, 2022.

Charma Diane Casteel  
Notary Public

**CHARMA DIANE CASTEEL**  
NOTARY PUBLIC  
STATE OF OHIO  
MY COMMISSION EXPIRES

This instrument prepared by:

May 10, 2024

Sarah M Miles  
Office of Legal Services – Ohio EPA  
50 W. Town Street  
Columbus, OH 43215

## EXHIBIT A

### LEGAL DESCRIPTION

#### **Parcel No. 1**

Situated partly in the Township of Warren and partly in the Township of Champion, County of Trumbull, State of Ohio and known as being part of Champion Township Reservation Tract, Lot No. 15, west of the turnpike and part of Original Warren Township Section Nos. 5 and 6, bounded and described as follows:

Beginning on the centerline of North Mahoning Avenue (S.R. 45) (width varies) at the most easterly corner of Parcel No. 76-WL appropriated by the State of Ohio and described in the Journal Entry on Jury Verdict recorded in Deed Volume 887, Page 287 of Trumbull County Records. Said most easterly corner being South 20° 24' 15" East 667.96 ft., as measured along said centerline of North Mahoning Avenue, from the intersection of said centerline and the centerline of State Route 5 (Warren Outerbelt) (width varies) and being witnessed by a 3/4" steel rebar found in a monument box on the centerline of said Mahoning Avenue North 20° 24' 15" West 113.97 ft. therefrom;

Course No. 1: Thence South 69° 35' 45" West 54.00 ft., along a southeasterly line of said Parcel No. 76-WL, to a corner thereof;

Course No. 2: Thence North 36° 02' 54" West 77.86 ft., along a southwesterly line of said Parcel No. 76-WL, to a corner thereof;

Course No. 3: Thence South 75° 19' 00" West 345.35 ft., along a southeasterly line of said Parcel No. 76-WL, to a corner thereof;

Course No. 4: Thence North 81° 39' 22" West 290.74 ft., along a southerly line of said Parcel No. 76-WL, to a corner thereof;

Course No. 5: Thence North 38° 28' 32" West 586.86 ft., along a southwesterly line of said Parcel No. 76-WL, to a corner thereof;

Course No. 6: Thence North 67° 29' 36" West 140.12 ft., along a southwesterly line of said Parcel No. 76-WL, to the most westerly corner thereof and the north line of the third parcel conveyed to Copperweld Steel Company by deed recorded in Volume 422, Page 12 of Trumbull County Records;

Course No. 7: Thence South 89° 46' 59" West 563.46 ft., along the north line of said third parcel (it being the southerly limited access line of State Route 5) to the intersection of said north line and the northeasterly line of land conveyed to the Painesville and Youngstown Railroad Company by deed recorded in Volume 117, Page 138 of Trumbull County Records (now owned by Economic Development Rail II Corporation-Trumbull County Official Record Volume 839, Page 584). Said point of intersection being witnessed by a nail in a concrete monument found South 89° 46' 59" West 79.75 ft. therefrom;

Course No. 8: Thence southeasterly along said northeasterly line of land so conveyed to



53844-1-1-2

The bearings used in the description are referred to an assumed meridian and are used to denote angles only. The basis of the bearings is the west line of the American Addition (South 00° 00' 35" West) as shown on the plat recorded in Volume 12, Page 62 and was established as a straight line between a 5/8" diameter iron pin found South 00° 00' 35" West a distance of 0.09 ft. from the intersection of said west line and the centerline of North River Road (County Road No. 142A) (width varies) and a nail found in a 6" diameter concrete monument at the southwest corner of Lot

24.9627 acres of the above described parcel are within Champion Township and 10.2997 acres are within Warren Township.

mentioned above.

At the time that this description was written the missing corner monuments had not been set. Monuments and/or reference monuments will be set, for all corners of the property described where none were found, where possible and will be shown and/or noted on the plat of the survey

All iron pin referred to in this description are being set are 5/8" diameter x 30" length steel rebar with a yellow plastic cap with the name "Bock & Clark" stamped on the top.

11, 1995 and last revised December 18, 1995 and subject to all legal highways.

Surveyor No. 5762 for and on behalf of Bock & Clark under Project No. 95040 dated October according to a survey prepared by Carl L. Craddock, Ohio Registered Professional Land Mahoning Avenue, to the place of beginning and containing 35.2624 acres of land, more or less, Course No. 14: Thence North 20° 24' 15" West 350.01 ft., along said centerline of North

Course No. 13: Thence North 20° 21' 52" West 647.43 ft., along said centerline of North Mahoning Avenue, to an angle therein;

the centerline of North Mahoning Avenue;

land so conveyed to Copperweld Steel Federal Credit Union and its northeasterly prolongation to Course No. 12: Thence North 69° 33' 44" East 307.20 ft., along the northwesterly line of

(L.K.L. #5663) at the most westerly corner thereof;

land so conveyed to Copperweld Steel Federal Credit Union, to a capped 5/8" steel rebar found Course No. 11: Thence North 20° 33' 03" West 274.92 ft., along the southwesterly line of

15" West 0.43 ft. therefrom;

southerly corner being witnessed by a 3/4" diameter steel pipe found in concrete, South 64° 19' by deed recorded in Trumbull County Official Record Volume 750, Page 551. Said most No. 5, to the most southerly corner of land conveyed to Copperweld Steel Federal Credit Union

Course No. 10: Thence North 00° 27' 10" East 556.02 ft., along said east line of Section

land so conveyed to the Painesville and Youngstown Railroad Company to the east line of Original Warren Township Section No. 5;

Course No. 9: Thence South 35° 24' 31" East 1537.64 ft., along said northeasterly line of

the Painesville and Youngstown Railroad Company, it being an arc of a circle deflecting to the right, 1525.01 ft. to a point of tangency in said northeasterly line. Said arc having a radius of 5760.47 ft. and a chord that bears South 42° 59' 34" East a distance of 1520.56 ft.

No. 15 (vacated — Deed Volume 654, Page 42) in said American Addition.

This description describes part of the land conveyed to Copperweld Specialty Steel Company by deed recorded in Volume 968, Page 340 of Trumbull County Records.

**Parcel No. 2**

Situated partly in the Township of Warren and partly in the Township of Champion, County of Trumbull, State of Ohio and known as being part of Champion Township Reservation Tract, Lot No. 15, west of the turnpike and part of Original Warren Township Section Nos. 4, 5 and 6, bounded and described as follows:

Beginning on the centerline of North Mahoning Avenue (S.R. 45) (width varies) at the most easterly corner of Parcel No. 76-WL appropriate by the State of Ohio and described in the Journal Entry on Jury Verdict recorded in Deed Volume 887, Page 287 of Trumbull County Records. Said most easterly corner being South 20° 24' 15" East 667.96 ft., as measured along said centerline of North Mahoning Avenue, from the intersection of said centerline and the centerline of State Route 5 (Warren Outerbelt) (width varies) and being witnessed by a 3/4" steel rebar found in a monument box on the centerline of said Mahoning Avenue North 20° 24' 15" West 113.97 ft. therefrom;

Thence South 69° 35' 45" West 54.00 ft., along a southeasterly line of said Parcel No. 76-WL, to a corner thereof;

Thence North 36° 02' 54" West 77.86 ft., along a southwesterly line of said Parcel No. 76-WL, to a corner thereof;

Thence South 75° 19' 00" West 345.35 ft., along a southeasterly line of said Parcel No. 76-WL, to a corner thereof;

Thence North 81° 39' 22" West 290.74 ft., along a southerly line of said Parcel No. 76-WL, to a corner thereof;

Thence North 38° 28' 32" West 586.86 ft., along a southwesterly line of said Parcel No. 76-WL, to a corner thereof;

Thence North 67° 29' 36" West 140.12 ft., along a southwesterly line of said Parcel No. 76-WL, to the most westerly corner thereof and the north line of the third parcel conveyed to Copperweld Steel Company by deed recorded in Volume 422, Page 12 of Trumbull County Records;

Thence South 89° 46' 59" West 642.34 ft., along the north line of said third parcel (it being the southerly limited access line of State Route 5) to the intersection of said north line and the northeasterly line of land conveyed to the Painesville and Youngstown Railroad Company by deed recorded in Volume 117, Page 138 of Trumbull County Records (now owned by Economic Development Rail II Corporation-Trumbull County Official Record Volume 839, Page 584) and the principal place of beginning of the parcel herein described. Said point of intersection being witnessed by a nail in a concrete monument found South 89° 46' 59" West 0.87 ft. therefrom;

Course No. 1: Thence southeasterly along said southwesterly line of land so conveyed to the Painesville and Youngstown Railroad Company, it being an arc of a circle deflecting to the right, 1572.52 ft. to a point of tangency in said southwesterly line. Said arc having a radius of 5710.47 ft. and a chord that bears South  $43^{\circ} 17' 51''$  East a distance of 1567.56 ft.;

Course No. 2: Thence South  $35^{\circ} 24' 31''$  East 31.15 ft., along said southwesterly line of land so conveyed to the Painesville and Youngstown Railroad Company to the northeast corner of land conveyed to The Baltimore and Ohio Railroad Company by deed recorded in Volume 461, Page 157 of Trumbull County Records;

Course No. 3: Thence South  $89^{\circ} 49' 45''$  West 12.24 ft., along the north line of land so conveyed to The Baltimore and Ohio Railroad Company, to the most westerly corner thereof;

Course No. 4: Thence South  $35^{\circ} 24' 31''$  East 1710.97 ft., along the southwesterly line of land so conveyed to The Baltimore and Ohio Railroad Company, to the southwest corner thereof and the centerline of North River Road (60 ft. wide);

Course No. 5: Thence North  $75^{\circ} 00' 50''$  West 47.71 ft., along said centerline of North River Road, to a  $3/4$ " diameter steel rebar found at an angle therein;

Course No. 6: Thence North  $76^{\circ} 03' 51''$  West 448.36 ft., along said centerline of North River Road, to the northwest corner of land conveyed to Jacob and Sarah Waterman by deed recorded in Volume 190, Page 106 of Trumbull County Records. Said northwest corner being witnessed by a nail in a concrete monument found South  $00^{\circ} 27' 10''$  West 30.88 ft. therefrom;

Course No. 7: Thence South  $00^{\circ} 27' 10''$  West about 85 ft., along the west line of land so conveyed to Jacob and Sarah Waterman and passing through a nail in a concrete monument found at 30.88 ft., to the southwest corner of land so conveyed and the low water mark on the northerly side of the Mahoning River;

Course No. 8: Thence southeasterly along the southerly line of land so conveyed to Jacob and Sarah Waterman, it being the low water mark on the northerly side of the Mahoning River, to its intersection with the east line of Original Warren Township Section No. 5. Said course being approximately South  $51^{\circ} 57' 44''$  East a distance of approximately 523.89 ft.;

Course No. 9: Thence South  $00^{\circ} 27' 10''$  West about 115 ft., along said east line of Original Warren Township Section No. 5, to the centerline of the Mahoning River;

Thence along the centerline of the Mahoning River, it being the southerly line of land conveyed to Copperweld Speciality Steel Company by deed recorded in Volume 968, Page 340 of Trumbull County Records, to the southeast corner of Parcel D as shown on the Plat of Survey and Property Split prepared by Carl L. Craddock, Ohio Registered Professional Land Surveyor No. 5762, for and on behalf of Bock & Clark under Project No. 94241 originally dated October 8, 1992 and last revised August 10, 1995. The approximate location of said centerline of the Mahoning River and the southerly line of land so conveyed being described by the following eight courses:

Course No. 10: Thence North  $43^{\circ} 02' 50''$  West 253.70 ft. to a point of curvature:

Course No. 11: Thence northwesterly along an arc of a circle deflecting to the left 794.62 ft. to a point of tangency. Said arc having a radius of 904.53 ft. and a chord that bears North  $68^{\circ} 12' 51''$  West a distance of 769.31 ft.;

Course No. 12: Thence South  $86^{\circ} 37' 08''$  West 262.53 ft. to a point of curvature;

Course No. 13: Thence southwesterly along an arc of a circle deflecting to the left 639.49 ft. to a point of tangency. Said arc having a radius of 760.87 ft. and a chord that bears South  $62^{\circ} 32' 28''$  West a distance of 620.83 ft.;

Course No. 14: Thence South  $38^{\circ} 27' 48''$  West 369.06 ft. to a point of curvature;

Course No. 15: Thence southwesterly along an arc of a circle deflecting to the left 976.03 ft. to a point of tangency. Said arc having a radius of 1824.06 ft. and a chord that bears South  $23^{\circ} 08' 04''$  West a distance of 964.42 ft.;

Course No. 16: Thence South  $07^{\circ} 48' 19''$  West 136.41 ft. to a point of curvature;

Course No. 17: Thence southwesterly along an arc of a circle deflecting to the right 602.14 ft. to the southeast corner of the aforementioned Parcel D. Said arc having a radius of 600.00 ft. and a chord that bears South  $36^{\circ} 33' 19''$  West a distance of 577.19 ft.;

Course No. 18: Thence North  $04^{\circ} 37' 11''$  West about 1040 ft., along an easterly line of the aforementioned Parcel D, to a capped pin found (Bock & Clark) at a corner thereof. Said line passing through a capped iron pin found South  $04^{\circ} 37' 11''$  East 918.58 ft. from the capped iron pin found at the northerly end of the line described in this course;

Course No. 19: Thence North  $60^{\circ} 55' 55''$  West 136.19 ft., along an easterly line of said Parcel D, to a capped iron pin found (Bock & Clark) at a corner thereof;

Course No. 20: Thence North  $18^{\circ} 25' 45''$  West 600.00 ft., along an easterly line of said Parcel D, to a railroad spike found at the most northerly corner thereof and the centerline of North River Road. Said most northerly corner being witnessed by a capped iron pin found (Bock & Clark), on the southeasterly line of North River Road, South  $18^{\circ} 25' 45''$  East 30.00 ft. therefrom;

Course No. 21: Thence South  $71^{\circ} 34' 15''$  West 860.35 ft., along said centerline of North River Road, to a railroad spike found at the most easterly corner of Parcel B as shown on the aforementioned Plat of Survey and Property Split;

Course No. 22: Thence North  $16^{\circ} 36' 30''$  West 592.54 ft., along a northeasterly line of said Parcel B and passing through a capped iron pin found (Bock & Clark) on the northwesterly line of North River Road, to a capped iron pin found (Bock & Clark) at a corner thereof;

Course No. 23: Thence North  $27^{\circ} 06' 45''$  West 291.50 ft., along a northeasterly line of said Parcel B, to a capped iron pin found (Bock & Clark) at a corner thereof;

Course No. 24: Thence South  $81^{\circ} 43' 48''$  West 226.43 ft., along a northerly line of said Parcel B, to a capped iron pin found (Bock & Clark) at a corner thereof;

Course No. 25: Thence South  $02^{\circ} 30' 20''$  East 333.46 ft., along a westerly line of said Parcel B, to a capped iron pin found (Bock & Clark) at a corner thereof;

Course No. 26: Thence South  $65^{\circ} 41' 36''$  West 855.00 ft., along a northwesterly line of said Parcel B, to a capped iron pin found (Bock & Clark) at a corner thereof and the east line of Riverside Drive (60 ft. wide) as shown on the plat of the American Addition recorded in Volume 12, Page a62 of Trumbull County Records;

Course No. 27: Thence North  $00^{\circ} 00' 30''$  East 151.91 ft., along said east line of Riverside Drive,, to a nail in concrete monument found at the northwest corner of Sublot No. 90 (now vacated) in the aforesaid American Addition;

Course No. 28: Thence North  $89^{\circ} 59' 25''$  West 196.00 ft., along the north end of said Riverside Drive and along the north line of Parcel No. 2 conveyed to Margaret H. Bynum by deed recorded in Volume 769, Page 127 of Trumbull County Records, to a nail found in a concrete monument at the northwest corner of said Parcel No. 2 and the northeast corner of Parcel A shown on the aforementioned Plat of Survey and Property Split;

Course No. 29: Thence North  $89^{\circ} 57' 07''$  West 1239.73 ft., along the north line of the said Parcel A, to a capped iron pin found (Bock & Clark) at the northwest corner thereof and the most westerly line of the land conveyed to Copperweld Steel Company by deed recorded in Volume 953, Page 334 of Trumbull County Records;

Course No. 30: Thence North  $00^{\circ} 02' 54''$  East 1088.24 ft., along said most westerly line, to a 1-1/4" diameter iron pipe found at a northwesterly corner of land so conveyed;

Course No. 31: Thence North  $89^{\circ} 45' 47''$  East 803.42 ft. along a north line of land so conveyed to Copperweld Steel Company, to a 1-1/4" diameter iron pipe found at a corner thereof;

Course No. 32: Thence North  $00^{\circ} 07' 52''$  West 552.63 ft., along a west line of land so conveyed, to a 1-1/4" diameter iron pipe found at a northwesterly corner thereof;

Course No. 33: Thence South  $89^{\circ} 44' 38''$  East 249.57 ft., along the most northerly line of land so conveyed (it also being the north line of Original Warren Township), to the southwest corner of Original Champion Township Reservation Tract and the southeast corner of the aforementioned Third Parcel conveyed to Copperweld Steel Company by deed recorded in Volume 422, Page 12 of Trumbull County Records. Said southwest corner being witnessed by a nail in a concrete monument found North  $0^{\circ} 09' 00''$  East 10.36 ft. therefrom;

Course No. 34: Thence North  $00^{\circ} 09' 00''$  East 876.87 ft., along the west line of said Reservation Tract and said Third Parcel, to its intersection with the southeasterly limited access line of State Route 5;

Course No. 35: Thence North  $42^{\circ} 49' 20''$  East 3.52 ft., along said limited access line, to an angle therein;

Course No. 36: Thence North  $47^{\circ} 07' 07''$  East 267.91 ft., along said limited access line, to a point of curvature;

Course No. 37: Thence northwesterly along said limited access line it being an arc of a circle deflecting to the right, 751.47 ft., to a point. Said arc having a radius of 1803.09 ft. and a chord that bears North  $67^{\circ} 35' 59''$  East a distance of 746.05 ft.;

Course No. 38: Thence North  $84^{\circ} 18' 16''$  East 388.67 ft., along said limited access line, to an angle therein;

Course No. 39: Thence North  $86^{\circ} 54' 10''$  East 420.30 ft. along said limited access line, to a point of curvature;

Course No. 40: Thence northeasterly along said limited access line, it being an arc of a circle deflecting to the right, 1646.74 ft. to the intersection of said limited access line and the southwesterly line of the aforementioned land conveyed to the Painesville and Youngstown Railroad Company by deed recorded in Volume 117, Page 128 of Trumbull County Records. Said arc having a radius of 12,120.04 ft., and a chord that bears North  $89^{\circ} 25' 55''$  East a distance of 1645.50 ft.;

Course No. 41: Thence southeasterly along said southwesterly line of land so conveyed to the Painesville and Youngstown Railroad Company, it being an arc of a circle deflecting to the right, 263.92 ft. to the principal place of beginning and containing approximately 362.1520 acres of land, more or less, according to a survey prepared by Carl L. Craddock, Ohio Registered Professional Land Surveyor No. 5762, for and on behalf of Bock & Clark under Project No. 95040 dated October 11, 1995 and last revised December 18, 1995 and subject to all legal highways. Said arc having a radius of 5710.47 ft. and a chord that bears South  $52^{\circ} 30' 38''$  East 263.91 ft.

All iron pin referred to in this description are being set and the capped iron pins found (Bock & Clark) are 5/8" diameter x 30" length steel rebar with a yellow plastic cap with the name "Bock & Clark" stamped on the top.

At the time that this description was written the missing corner monuments had not been set. Monuments and/or reference monuments will be set, for all corners of the property described where none were found, where possible and will be shown and/or noted on the plat of the survey mentioned at the end of Course No. 41 herein.

The bearings used in the description are referred to an assumed meridian and are used to denote angles only. The basis of the bearings is the west line of the American Addition (South  $00^{\circ} 00' 35''$  West) as shown on the plat recorded in Volume 12, Page 62 and was established as a straight line between a 5/8" diameter iron pin found South  $00^{\circ} 00' 35''$  West a distance of 0.09 ft. from



the intersection of said west line and the centerline of North River Road (County Road No. 142A) (width varies) and a nail found in a 6" diameter concrete monument at the southwest corner of Lot No. 15 (vacated -- Deed Volume 654, Page 42) in said American Addition.

The location of the Mahoning River was determined from an aerial photograph obtained from the Trumbull County Office of the Agricultural Stabilization (sic) and Conservation Service. According to the employees at said office, the aerial photograph was taken in 1989. The 8 courses in this description describing the centerline of the Mahoning River may change if a more precise location of the river is obtained. The most southerly line of the parcel described herein is the centerline of the Mahoning River and is subject to change due to natural causes.

This description describes part of the land conveyed to Copperweld Specialty Steel Company by deed recorded in Volume 968, Page 340 of Trumbull County Records.

Excepting from the above described land, all of the land (8.5917 acres per deed) that was conveyed to Ohio Star Forge Company by deed recorded in Trumbull County Official Record Volume 471, Page 353.

Also excepting from the above described land, all of the land (18.6526 acres per deed) that was conveyed to Luntz Iron and Steel Company by deed recorded in Trumbull County Official Record Volume 967, Page 695.

The above described parcel contains 334.9077 acres, more or less, after the exceptions have been subtracted, 214.4247 acres being within Warren Township and 120.4830 acres being within Champion Township.

**SAVE AND EXCEPT FROM THE ABOVE DESCRIBED PARCEL THE FOLLOWING FOUR PARCELS GRANTED TO OHIO STAR FORGE IN THAT CERTAIN GENERAL WARRANTY DEED OF FEE INTERESTS AND EASEMENTS RECORDED IN INSTRUMENT NO. 201305140011261 OF THE TRUMBULL COUNTY, OHIO RECORDER'S OFFICE:**

**Parcel 1**

Situated in the Township of Champion County of Trumbull, State of Ohio and known as being part of Champion Township Reservation Tract, Lot No. 15, also being part of a 334.9077 acre parcel of land conveyed to Warren Steel Holdings, LLC as recorded in Instrument No. 200111300045795 of Trumbull County Records and being more particularly described as follows:

Commencing at the southwest corner of said Reservation Tract, Lot No. 15, same being the south line of Champion Township; thence along said Reservation Tract and Champion Township. South 89°54'45" East, 546.09 feet; thence North 00°11'40" West, 277.91 feet to a set 5/8" iron pin and the True Point of Beginning;

Thence with a new division line through said Warren Steel Holdings, LLC, North 00°11'40" West, 150.00 feet to a found 5/8" iron pin;

Thence with the south line of Ohio Star Forge Co. (O.R. Vol. 471, Page 353). North 89°48'20"

East, 1367.00 feet to a found 5/8" iron pin;

Thence with a new division line through said Warren Steel Holdings, LLC, South 00°41'19" West, 150.02 feet to a set 5/8" iron pin;

Thence South 89°48'20" West, 1364.69 feet to the True Point of Beginning, containing 4.7033 acres of land and subject to all easements and rights-of-way of record.  
PPN #46-904115

### **Parcel 2**

Situated in the Township of Champion County of Trumbull, State of Ohio and known as being part of Champion Township Reservation Tract, Lot No. 15, also being part of a 334.9077 acre parcel of land conveyed to Warren Steel Holdings, LLC as recorded in Instrument No. 200111300045795 of Trumbull County Records and being more particularly described as follows:

Commencing at the southwest corner of said Reservation Tract, Lot No. 15, same being the south line of Champion Township; thence along said Reservation Tract and Champion Township, South 89°54'45" East, 546.09 feet; thence North 00°11'40" West, 530.91 feet to a found 5/8" iron pin "J.W. Daniel RLS #6222"; thence North 89°48'20" East, 204.62 feet to a found 5/8" iron pin; Thence N. 0°11'40" West, 191.00 feet to a found 5/8" iron pin; thence N. 89°48'20" E 153.00 feet to a found 5/8" iron pin and the True Point of Beginning;

Thence with a new division line through said Warren Steel Holdings, LLC, North 89°48'20" East, 49.65 feet to a found 5/8" iron pin;

Thence with the Northern lines of Ohio Star Forge Co. (O.R. Vol. 471, Page 353), South 00°11'40" East, 14.63 feet to a found 5/8" iron pin;

Thence South 89°48'20" West, 49.65 feet to a found 5/8" iron pin;

Thence North 00°11'40" West, 14.63 feet to the True Point of Beginning, containing 0.0167 acres of land and subject to all easements and rights-of-way of record.  
PPN #46-904116

### **Parcel 3**

Situated in the Township of Champion County of Trumbull, State of Ohio and known as being part of Champion Township Reservation Tract, Lot No. 15, also being part of a 334.9077 acre parcel of land conveyed to Warren Steel Holdings, LLC as recorded in Instrument No. 200111300045795 of Trumbull County Records and being more particularly described as follows:

Commencing at the southwest corner of said Reservation Tract, Lot No. 15, same being the south line of Champion Township; thence along said Reservation Tract and Champion Township, South 89°54'45" East, 546.09 feet; thence North 00°11'40" West, 530.91 feet to a found 5/8" iron



pin J.W. Daniel R.I.S #6222"; thence North 89°48'20" East, 204.62 feet to a found 5/8" iron pin; Thence North 00°11'40" West, 191.00 feet to a found 5/8" iron pin; thence North 89°48'20" East, 334.95 feet to a found 5/8" iron pin; thence North 00°11'40" West, 12.95 feet to a found 5/8" iron pin and the True Point of Beginning; .

Thence with a new division line through said Warren Steel Holdings, LLC, North 00°11'40" West, 3.00 feet to a set 5/8" iron pin;

Thence North 89°48'20" East, 599.12 feet to a set 5/8" iron pin;

Thence North 00°11'40" West, 47.00 feet to a set 5/8" iron pin;

Thence North 89°48'20" East, 85.00 feet to a set 5/8" iron pin;

Thence South 00°11'40" East, 50.00 feet to a set 5/8" iron pin;

Thence with the Northern line of Ohio Star Forge Co. (O.R. Vol. 471, Page 353). South 89°48'20" West, 684.12 feet to the True Point of Beginning, containing 0.1388 acres of land and subject to all easements and rights-of-way of record.

All set iron pins are 5/8" diameter x 30" length steel rebar with a cap bearing the number 7911.

The above description is prepared from and in accordance with a field survey by David J. Kuethe, Ohio Registered Surveyor No. 7911 dated May 21, 2012.  
PPN #46-904117

#### **0.413 ACRES**

Situated in the State of Ohio, County of Trumbull, and being part of Section 5 of Warren Township, and also being part of a 334.9077 Acre parcel conveyed to Warren Steel Holdings, LLC as recorded in Instrument No. 200111300045795 of Trumbull County Records and being more particularly described as follows:

Commencing at a point of intersection of the centerline of North River Road (60' Wide) and the westerly line of Section 5 Warren Township, thence along the centerline of North River Road, North 71°34'15" East, passing a found railroad spike at a corner of said Warren Steel Holdings, LLC a distance of 617.28 feet a total distance of 884.16 feet; thence leaving said centerline, South 18°25'45" East, 247.90 feet; thence North 70°32'11" East, 16.00 feet to a set 5/8" iron pin and The True Place of Beginning; thence with a new division line through said Warren Steel Holdings, LLC the following four courses:

1. North 70°32'11" East, 120.0 feet to a set 5/8" iron pin;
2. South 19°27'49" East, 150.00 feet to a set 5/8" iron pin;
3. South 70°32'11" West, 120.00 feet to a set 5/8" iron pin;
4. North 19°27'49" West, 150.00 feet to the True Point of Beginning containing 0.413 acres of land and subject to all easements and rights-of-way of record.

All set iron pins are 5/8" diameter x 30" length steel rebar with a cap bearing the number 7911.

The above description is prepared from and in accordance with a field survey by David J. Kuelte, Ohio Registered Surveyor No. 7911 dated September 13, 2012.

PPN #41-901985